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FRIDAY, DECEMBER 9, 1904.

The Press and the Schools.

In his address before the Co-operative Education Commission, during its session in Norfolk, Hon. J. W. Southall, Superintendent of Public Instruction, declared that he was greatly discouraged because people did not attend educations the county superintendents attempted to tised well that the meeting would be addressed by the State Superintendent and the speakers appeared, but the aucomen and children. The tax-payers, whom the speakers desired especially to were not in evidence. There was present no member of the schoo there was to county offic at, ex cept the county superintendent.

That sort of thing is necessarily dis uraging to the friends of education, If this meeting had been held during ar exciting political campaign, the voters would have come out to hear the speeches and the fact that they did not turn out hear two distinguished glantlemen. cause of education, showed a lamentable Virginia. While they may not be willing newspapers, and the surest way of bringtion is through the press. Indeed, one took is that they have fallen into the get, through that medium, much of the from the mouth of public speakers.

The last census reports show that i newspapers and periodicals in the aber to-day is doubtless 120,000,000 or States was in round numbers 2,000,000,000

In 1860 there were in the United States circulation per issue of about one and daily newspapers with a total circulation that the circulation of the daily news papers of the United States is to-day in

papers, with a total circulation of 7,509,000 in 1999 there were 12,979, with a total circulation of nearly 4,600,000. There has also been an enormous increase in the

Here are practical hints for the friends of education-for school superintendents, teachers and promoters. There should be public meetings; there should be educational rallies as often as practicable, and the promoters of education should be promptly on hand to address the people and urge upon them the importance-nay But the press should be made the hand-maiden of the public school system. The friends of education should lose no or portunity to give publicity through the public press to the cause they represent It is through this medium that the people may be aroused, and it will not do to leave it all to the editors themselves. They are willing to do their part, bu communications as many as the news-papers can conveniently carry, and especially should they advertise as frequently as possible what the schools are doing and the progress of educational movements. There is no newspaper weethy of the name that will not give space to such publications. A hint to the wise should

SHEETERS..... The Carmack Resolution.

In accordance with the recommendation of the President, Senator Carmack has introduced a joint resolution bromission to be composed of members of national committees in the interest of presidential candidates. The resolution declares that the committee shall provide

collect money from corporations engaged

We hope that the resolution will pas It was publicly charged during the last campaign that the corporations contributed large sums of money to the Republican campaign fund, and that it was used for corrupt purposes. Let all the facts come out and if there were abuses the future.

There is pnother phase of this question which has not been generally discussed. The money of corporations belongs to the stockholders, and no part should be contributed, if at all, except by the unanimous consent of the stockholders. Otherwise Democrats who are stockholders in a corporation may be campaign fund; or Republican stockhold ers may be thus compelled to contribute to the Democratic fund.

From whatever standpoint viewed th whole system is wrong in principle, unfair to stockholders and contrary to pub- sides the most complimentary mention of lie policy, and it should be prohibited law. If an individual wishes to give his money for campaign purposes it is his own affair, but the corporations occupy a very different position and they tion to the addresses, should be prohibited.

Government and Good Roads.

ed favorably his good roads bill, which carries an appropriation of \$24,000,000, the States shall do the work of construction and pay half the cost, the national government paying the other half.

principle involved in this measure, but after all there is very little difference in principle in government appropria propriations for river and harbor imn the interest of national civilization able and in that way to decentralize the population by taking the overplus from

ture of Mr. Latimer's bill which provides for bargain hunters. Possibly some of that the government shall pay half the our readers will recall that a little while cost of road improvement, the States to ago, The Times-Dispatch gave warning pay the other half. , In this way many that stocks were dangerously high, and States, which are making very small appropriations for road building would be induced to increase them and the work pitilessly sheared. would be done under intelligent super

Tax Receipts.

In yesterday's paper we mentioned Mayor McCarthy's purpose to introduce a new tax bill system which will ultimately remove all doubt whether or not previous taxes have been paid. His pla is to give receipts which will show every item due the city to date and will constitute a full and perfect receipt for al amounts paid.

A year or so ago during a session o the Legislature our friend, Mr. T. A. Cary, made a similar suggestion for the State at large and this paper earnestly advocated the measure which Mr. Car lation which would prohibit the treas

tax-payer should offer a sum of money ment showing the entire amount of taxe count for the amount pald in; or if the amount was sufficient to pay quent bill he would be given a full on that account, leaving the balance due to she settled thereafter. In this tax receipt or his account with way 4ds the credit would show the exact status

of his standing with the treasurer, Some such system as this should be all means be adopted, not only in the city of Richmond, but in all cities and countles of the State. The slipshod way of giving a tax receipt for one year when the tax-payer was delinquent for other years caused all the abuses and hardships under the so-called land grab

bers' act. Interstate Foot-Ball.

The Norfolk Landmark is taking advantage of the charges being made of the continued bad management of the Thanksgiving foot-ball game in Richmond and is urging a change of base mond and is urging a change of lasse. It thinks the game should hereafter be played in Norfolk. We are willing, provided Norfolk would put a stop to the grand opera admission prices prevailing in Richmond,—Charlotte News.

The acquiescence of the News in the Landmark's plea for the transfer of th game to that city appears to be based upon a proviso and one which neither the Landmark nor the city of Norfolk can guarantee, judging by Richmond's experience. Norfolk has a perfect right to ask for the game and to do anything may in the way of holding out inducements. Concerning the "grand opera admission prices," of which our Charlotte contemporary complains, it may be stated as a fact that neither the city of Richmond nor the lessees of the park had neither the city of Richmond nor the lessees of the less anything to do with them. The Univergity management of the two schools fixviding for the appointment of a com- ed the prices and had sole charge of all the arrangements for the game. Judgthe Senate and House to investigate the ling by the financial success of the game collection and expenditure of money by in this city at these prices, it does not reduction next year, whether the game be played in Norfolk, Richmond, Char-

the receipts were divided between the ath-letic associations of the two universities. As a matter of fact, the lessees of the park receive but \$125 from the game, If the boys desire large receipts it would appear that an eye to their own interests will again attract them to Rich-

By/next year a better and larger play ground is promised, and it is to be hoped that whatever the prices, the boys will not sell more seats on the grand-stand than they can supply.

Women in Civic Life.

One of the most significant features o the meeting of the Virginia Co-operative Education Commission in Norfolk was required against their will to pay a part the large attendance of women. Many o of their own money into the Republican them came from a distance as delegates ings. Indeed, it is conceded that two of the very best addresses were those by two Munford and Mrs. Dashiel-and on all posed of women, many of them

It is a hopeful sign that the women o Virginia are giving their talent and time to this noble work. It means progress Senator Latimer, from the Committee it means development and better methon Agriculture and Forestry, has report- ods; it means larger appropriations, betto be available in three annual instal- ginia resolve that a thing shall be done, ments of \$5,000,000 for road building in it must be done. They have no votes, the several States. The bill provides that but they control the voters, and when they issue their decrees the voters obey We confess that we do not like the be improved in all directions, and the men might as well make up their minds

whether its fit of shivers was caused by message of President Roosevelt. There freeze out the little fellows and throw the country, and that is a consumma- At any rate, the selling of yesterday and the day before was disastrous for "weakly margined" accounts and a fine chance that the lambs would do well to recal the lesson of 1903. The lambs have been

> As a financial problem, Mrs. Cassie Chadwick is a daisy, and there are lots of men who would give a large commis sion to learn her tricks in trade

The Honorable Mr. Heflin, of Alabama, was a disappointed man when no him the other day.

Governor Odell, of New York, seems inclined to send a fresher joke than Do pew to the Senate, regardless of his prom ise to Senator Platt.

Logically all the ple on Virginia's end of the counter goes to the Ninth Dis-

that latest wall from the farming community that fall plowing is behind must

Several long, lean, woefully empty stockings from Virginia will soon be hanging on the posts and pillars about the White

for the cotton raisers to inaugurate a lively bull movement, if they know how. And now the question is: What will the Japs do with old battered up Port Arthur after they get 11?

brand of charity which covers a multi-

Claus at her home. She knows how to fill her own stocking.

This good duck shooting weather must be awfully tempting to the Hon. G Cleveland.

Personal and General.

General Cronie, the Boer officer, will remain in this country at least another year. He expects to spend the winter in Florida.

Professor Goldwin Smith's recent speech before the Canadhan Club at Ottawa is said to be his farewell appearance on the platform.

Prior to sailing for America, Edward Terry, England's oldest comedian, was given a bunquet on Sunday evening in London, which was presided over by the Duke of Abercorn.

The Queen of Portugal, who has beet visiting England, has been called suddenly to Turn in consequence of graveness regarding the health of her sister lielenc, the Duchess of Aosta.

Satan owns in fee simple one lander estate in Ffiniand, it having been willed to him by its deceased owner, Lara Huijarlene. Rejeated attempts to break the will lawe failed.

London Cabs.

China Coming Slowly.

The 700 shoomakers' shops in Canton, China, employ 8,000 men and 20,000 women, who work from daylight to dark. Since the recent introduction of kerosene lamps their hours even have been lengthened. They get from about \$2,00 to \$5 a month in wages and their meals, consisting of rice and sait fish.

Dickens in Full.

for the publicity of such collections and totte or Raicigh. More than ten thoughout the said persons exhibited not merely a will-unlawful for any national committee to inguess, but a positive cagerness, to pay

Capital Is Not Necessary

to enable a man to share in the present great prosperity of this country, if he has brains, energy

country, if he has brains, energy and persistence,
Any man or woman with these qualifications can make money now, and at the same time build up an income for future years, by soliciting life assurance under the renewable contract of the Equitable Life Assurance Society.

And the next few years are bound to be good and productive ones for the earnest, persistent life assurance agent.

Men or women of energy and character who wish to increase their incomes and who are willing to take up life assurance as finer life work are invited to apply or write to

H. SWINEFORD & SON.

General Agents, 1110 E. Main Street, Richmond, Va. Correspondence solicited and treat-ed in confidence.

SHalf Hour With Virginia Editors \$

The Fredericksburg Free Lance says: It was a noble thing in President Roosevelt to appoint the grandson of General Stonewall Jackson a cadet at West Point. This is one long step in the direction of showing that he is not unfriendly to the South.

The Portsmouth Star is hopeful. It says:
Some crumbs of comfort come to the people of the South and to the conservatives all over the country from Congress. They are not whole loaves of bread, but they stay the appetite for pessimism till something more substantian takes their place.

The Lynchburg News, which has been reading up on how they do things out in

reading up on how they do things out in Wisconsin, says:
Virginia is an agricultural State, with a better climate and a greater variety of products than Wisconsin. Yet an acre of land in Wisconsin will sell for three or four times as much as in Virginia, the production of the same of the same

The Bath County Enterprise says:
The greatest fault that can be urged against the Democratic party is, that in late years too much confidence has been placed in the leader thereof; these often being self-constituted and of the barnacle class. They assume command and the people take it for granted that they have been properly appointed and trust have been properly appointed and them as such. From this class of ers comes the lesson to the voter: to the party, right or wrong."

The Platt Bill.

The Platt Bill.

Editor of The Times-Dispatch:

Sir.—If It were not calculated to do harm it would be a matter of amusement to see the seriousness with which the newspapers are discussing the proposed and imaginary reduction of representation of the Southern States in Congress. (Da the editors of newspapers are said to the congress.) The congress of such a thing, or do they simply discuss the matter to fill up their columns? To think the former is to discount the intelligence of the editors, and to think the latter is to make accusation, against their good faith, which I am both to do. I shall leave it to them to determine the way; but at the risk of being presumptuous, I do not hesitate to say, that there is absolutely nothing in it, and it is made to have dignified the matter as has been done. It is almost, if not quite, humiliating to find a man who has been credited and honored by promotion to the House of Representatives making a spectacie of himself, as he is reported to have done, by proposing such a ridboury and imaginary condition. of himself, as he is reported to have done, by proposing such a ridiculous remedy as he has to a visionary and imaginary condition. It would seem that we have fallen on hard times when such unmitigated absurdity not to say stupidity is seriously put forth by a "leader." If the Republicans have any sense of humor they must be enjoying a great deal of fun at the expense of southern Demorats to see them seared by such a bugaboo. The worst part of it is that the sensible people of the South who are just as sometimes as the northern people and that it is not sometimes to the reflection on the good sense of the whole section. There are two things which one can, contribute the says the section.

nythical personage. D. C. O'FLAHERTY, Richmond, Va., December 6, 1904.

A Democrat's Interrogatory.

A Democrat's Interrogatory.

Editor of The Times-Dispatch:

Sir,—Please ask Professor Benjamin Blake Minor, seferitary of the Virginia Division, Sons of the American Revolution, whose appeal to eligible Virginians to join the order was published by you on Sundary to reconcile, if he can, the manifest social intention of the Revolutionists, and the manifest social intention of the American social intention of the hereditary order, which he recommends so highly.

Isn't the general drift and purpose of these hereditary orders Hamiltonian in tendency and pretentiously aristocratic; and is not the true American sentiment Jeffersonian and Democratic?

That he may know I am not writing as one of the "outs" criticising the "ins," I will add that I am directly descended from a Virginian who was a colonel in the Revolutionary army and do not care to join the Cincinnati or the S. A. R. hecause I think they violate the principles their members' ancestors sought to establish.

DEMOCRAT,

Richmond, Va. The Gospel Truth.

The Richmond Times-Dispatch, briefly but with absolute correctness, states the Southern attitude at this time. Here it

OPINIONS FROM SUPREME COURT

Three Important Cases Settled for All Time-Other Matters Disposed of.

FRANKLIN COURT REVERSED

Judges Buchanan and Harrison Deal, Respectively, With Burwell and Bond Cases.

The Supreme Court of Appeals yesterday handed down opinions in three important cases, passed upen a number of petitions for appeals, etc., heard argument in one case, and then adjourned until after the Christmas holidays, or until January 3d, the first day of a new term.

term.

An application for a writ of prohibition was dealed in the case of Hill vs. Haney, from Alexandria county, involving the important question of, jurisdiction of justices and other county officers within one mile of the corporate limits of cities. The court, in refusing the writ, did not state its reasons. It is not stated that the county has exclusive jurisdiction within such space, nor that city and county such sphere, nor that city and county have concurrent jurisdiction, the action of the court merely deciding that the county did have jurisdiction within such one mile limit of cities. This, however, is sufficient to settle the question to the extent of giving county officers jurisdiction within such territory.

Burwell vs. Burwell.

Burwell vs. Burwell.

Judge John A. Buchanan wrote the opinion of the court in the case of Burwell vs. Burwell et als, from the Circuit Court of Franklin county, reversing the decree of the lower court, and remanding the cause for further proceedings. In this case, the appellant instituted a creditor's suit against his mother's estate to recover on a bond for \$4,000, given for services rendered his mother under a contract between the appellant and his mother for the management of her farm and business for seven years. That agreement was terminated in 1876, and the appellant afterwards and until

pellant's recovery on the bond is he did not keep his agreement with his to the compensation for which the bond tions to and improper or undue influence over her. Upon a hearing of the cause the Circuit Court disallowed the claim. and from this decree the appeal was al The appellate court holds that the trans

The appendice court noise that the frame-actions between persons occupying certain confidential relations in life are viewed with fealous vigilance by courts of equity, but that while the courts deem it important to watch over and protect the interests of children in cases wherein It important to watch over and protect the interests of children in cases wherein beneils are secured by children to their parents, the same rule dogs not apply where contracts and conveyances are made by which benefits are secured by the parent to the children. Such contracts will generally be presumed to be free from suspicion, and the party claiming that they were procured by undue influence must generally prove. It. In brief, the burden is upon the appellees to prove that the bond was executed under the stress of undue influence. Judge Buchanan says; "Wille the bond in this case was executed for services rendered as agent, they were rendered under an agreement, which had been terminated more than eight years before, long after the relation of principal and agent created by it had ceased to exist, and when they had the right to deal with each other in the same manner as other persons,

"We are of opinion, therefore, that

"We are of opinion, therefore, that there were no such confidential relations existing between the appellant and his mother, when the bond was executed as raised any presumption of its invalidity. The burden, therefore, of showing that the appellant had precured the execution of the bond by fraud or undue influence was upon the appellees."

The evidence did not sustain such a claim. The court is of opinion that the bond of appellant is a valid claim against his mother's estate, and that the exceptions to the report of the commissioner, which so found, should have been overruled and the report confirmed.

The action of the court in charging the appellant with the rental value of

him, should have been set off against the use of the land, was error. For this error and disallowance of appellant's deut the decree appealed from must be reversed to that extent, and in other respects affirmed and the cause remanded for further proceedings.

Franklin County Bond Case.

Franklin County Bond Case.

The Circuit Court of Franklin county was again reversed in the case of the Rocky Mount Loan and Trust Company vs. Price, etc., Judge George M. Harrisen writing the opinion of the court.

This is a motion by the plaintiff in error for judgment against the defondants in error on two bonds each for \$500, one payable one year and the other two years after date with interest. These bonds are the joint obligations of seven obligors, of whom B. N. Hatcher, deceased, and H. C. Price, are two. Price, one of the plefendants, filed a plea of non est factum, and the cause was continued ceased, and It. C. retained a plea of nonest factum, and the cause was continued as to him and judgment rendered against the other six obligors. At the next term of court a nune pro tune order was entered by consent, entering the statements of defense of H. C. Pricé and B. N. Hatcher's administrator of record. The court rules on the contention of the plaintiff in error that the judgment formerly rendered is in force against Hatcher's administrator, that the nune pro tune order entered by counsel, treating the judgment as set aside, estops them now from denying that to be its effect.

The defense set up by Hatcher's administrator is that a material alteration was made in the bonds after testator had

A Cure for Asthma.

The worst cures of Asthma in the world succumb readily to the one great cure that never falls. Dr. Rudolph Schiffmann's Asthma Cure almost performs

Southern attitude at this time. Here it is:

"Those gentlemen up North who think the South is weeping are greatly in error. The South is going right along air tending to business just as if there had never been an election. The South knows how to take advantage of a situation, when a pat hand played by the other fellow."

The South is going right along air tending to business just as if there had never been an election. The South knows how to take advantage of a situation, when a pat hand played by the other fellow."

The South is going right along air tending to business just as it that meyer falls. Dr. Rudolph Schiffmann's Asthma Cure almost performs miracles.

Mr. R. M. Spencer, 2380 Vermont Avenue. To the air the attacks became so severe growing on me for three years, until last summer the attacks became so severe that many nights I spent half the time gasping for breath. Doctors seemed to give no relief whatever, and I felt there was no hope for me, when a drug clerk recommended your Asthma Cure. Its effect is truly magical and gives complete relief in from 2 to 5 minutes."

Sold by all druggists at 50c, and \$1.00. Send 2c. stamp to Dr. R. Schiffmann, Box 833. St. Paul, Minn., for a free sample packets.

TO-MORROW vs.TO-DAY

This strenuous age is the age of "To-day."
We accomplish more than we used to because we try
"do it new"— instead of putting it off until "somelo "do it now"— instead of putting it off until "some-time." You mean to begin saving, some time. You think if you had a spare hundred dollars you'd start a bank account with it—perhaps you'll have it some time, and then you'll begin.

But the hundred is hard to get. It requires time and patience. The single dollars are easier, if saved, they will soon make up the hundred.

We will tell you how to bank by mail.

Begin with a dollar—here.

Now!

PLANTERS NATIONAL BANK.

BAVINGS DEPARTMENT.
TWELPTH AND MAIN STREETS, RICHMOND, VA.
CAPITAL, \$200,000.00.
BURPLUS AND PROFITS, 1825,000.00.

DECEMBER 9TH IN WORLD'S HISTORY

Plus IV. (John Angelo de Medicis) died.

1041.

Anthony Van Dyck, the celebrated Dutch painter, died.

1669. Clement IX. (Julius Rospigliosi), Pope, died of grief at the loss of Candia, which was taken by the Turks.

1811. Americans, under General Harrison, left the battleground at Tippe cance on their return to the United States.

1815.

The exiled Emperor Napoleon took possession of the villa of Longwood. This year, at its dawn, found him sovereign of the little island of Elba; ere the vernal equinox he was again Emperor of France; before the summer solstice he was finally defeated at Waterloo; the year closed over him a solitary exile. 1831.

Disturbances in Ireland; the soldiers fired upon a mob of 2,000 Irish

whereupon the mob rushed upon the soldiery and killed nineteen out of thirty-four. The President's message reached Boston in twenty-six hours and fifty minutes from Washington. It was formerly announced as an instance of extraordinary speed that the message reached Boston in sixty-four hours.

1854. The king of the Sandwich Islands to prevent the overthrow of his government by lawless violence, accepted the aid of the naval force of the United States; Great Britain and France.

1902.
Venezuelan navy seized and destroyed by the combined fleets of Germany and England; in retaliation German and English subjects in Carracas were arrested by the Castro government.

signed his name thereto, in that the name of H. C. Price was signed to both these bonds for the purpose of making him an obligor thereon after the delivery and signatures by the original obligor. Upon the issues joined the jury found in favor of defendants in error, but this was properly set aside because of newly discovated evidence and because the verdict was contrary to the law and the evidence. The case was again tried in September, 1992, upon the same defendes with the same result, a verdict in favor of defendants in error. This the court refused to set aside, whereupon a writ of error was awarded brinking the case before the appellate court for review. The court refuses to disturb the verdict as to H. C. Price, treating the case here as upon a demurrer to evidence.

The Judgment Reversed.

as upon a demurrer to evidence.

The Judgment Reversed.

A second instruction directed the jury to find for the aefendants if they believed from the evidence that after the signing of delivery of the bonds by Hatcher and others to William Gentley, the name of H. C. Price was added to said bonds without Hatcher's knowleds or consent. The court holds that this instruction entered upon a field of inquiry not called for by the evidence. The original said the bonds was a tract of land sold by Gentry to the obligors. After the original said Hatcher sold one-half of his interest in the purchase to H. C. Price. At the time the case came to the higher court three of the six original obligors are dead, and the ovidence is therefore meagre, but it is reviewed by the court. The court holds that it was error to give an instruction predicated on the view that Hatcher had no knowledge of the fact that the name of H. C. Price was subscribed to the bonds as one of the obligors thereon, because there is no evidence in the record tending to show that the honds without knowledge and concent of Hatcher. The evidence tends to show that when the bonds were not all parties that the properties of the colligors thereon, because there is no evidence in the record tending to show that the honds without knowledge and concent of Hatcher. The evidence tends to show that when the bonds were not all parties that they were to be reexecuted and redelivered to the obligors under the rights of the obligors was the reexecuted and finally completed contract contemplated by the fact that the name of order that the properties of him who pleads it, and does not affect the liability of open contemplated by the plead of, being joint, should be reversed, and this court, proceeding to enter such judgment as the lower court should have entered, it is ovidered that the plantiff take nothing by, its notice as to the defendant, H. C. Price and that Price recover of the plain. The Judgment Reversed.

should be reversed, and this court, hose eceding to enter such judgment as the lower court should have entered, it is ordered that the plaintiff take nothing by, its notice as to the defendant, H. C. Price and that Price recover of the plaintiff his costs in this cause. It is further ordered that the judgment be set uside as to thatcher's administrator, and that the case, be remanded for further proceedings against Hatcher's representative.

A Remarkable Case.

against Hatcher's representative.

A Remarkable Case.

Among the cases decided by the Supreme Court of Appeals of Virginia yesterday was that of Rhea vs. Shields, trustee, from the Court of Law and Chameery of the city of Norfolk, in which Judge Stafford G. Whittle writes the opinion of the court, affirming the decree of the trial court. In the course of his opinion, however, Judge Whittle, while admitting that the proceedings in the case were in technical compliance with the statute, charges that the courts have been imposed upon and that the litigants have been imposed upon and that the litigants have been stripped of a valuable inheritance and that miscarriage of Justice has resulted from the misconduct of their trustee and former counsel. Here is the precise inaguage used by the court in condeming a procedure, technically correct, yet perpetrating a twrong for which there is no remedy without a wrong to innocent purchasers of the property involved in the litigation:

"While the court feels constrained to hold that the polition was properly rejected as to these defendants, an examination of their record makes it painfully apparent that there has been a miscarriage of justice in the case, a result brought about by the misconduct of their under the courts and imposition on the courts they have been stripped of a valuable inheritance. In a stuation is rendered the more regretitable by the circumstances that the property has passed beyond the courts countrol, and it is powerless to repair a great wrong."

"The developments in the case acconting the decided as a passed beyond the courts out to make a passed beyond the courts in deciding with this class of cases as will render the occurrence of similar received as intenses the occurrence of similar received as intenses the courts on the property in developments in the case acconting the case of the property in the property of the provention of the infortunate may be converted in the appropriate that the property in the strip of the provents in deciding with the se

verted into an instrument for their destruction."

Robert Rheal Sr. of Norfolk devised to his executor in trust for his son, William H. Rhea. Sr., for life, with remainder to such of his children as should survive him, severa improved lots in Norfolk city. By successive substitutions, L. H. Shieds succeeded the original trustee appointed by the will, sind at August rules, 1889, filled a hill in lequity in the Corporation Court of Norfolk city against appellants, William H. Rhea, Sr., and his children, the inter all being infants at that time, for the sale of four of the seven lots for the payment of taxes, repairs and improvement of the residue of the property,

the balance of the proceeds of sale to be invested as the court might think best to yield an income for the owners. After reference of the case to a commissioner in chancery, the lots were regularly sold under a decree in the cause, the sales confirmed, purchase money paid into court and deeds executed and delivered to purchasers. The last sale was made and confirmed in February, 180.

The suit remained on the docket until August, 1891, at which time all the remaindermen have attained their majority, the life tenant and a defendant in the original bill, filed a joint petition in the cause, in which they allege that the deferred payment of the purchase money for a farm in Northampton county, which had been bought as a home for appellants, was long past due, and that the vendor was threatening to sell the property for the unpaid purchases money, and praying that the court would authorize the special commissioner to borrow a sufficient sum to discharge that indehtedness and secure the loan upon some portion of the Norfolk city property still held by the trustee under the will. The remaindermen answered the petition by counsel and united in its prayer. The loga, however, was not effected, but subsequently, upon the written request of all parties in interest, the court decreed the sale of the Property US Sold.

This moments, was subsequently, sold.

Property Is Sold.

In delivering its opinion the court says:

"Whatever may be said of appellants' contention as an original proposition, these decisions (just quoted in the opinion) have adopted a different construction, and thies to propery infoughout the Comptonwealth have been acquired and rights become vested on the failth of it, and a departure from that construction at this time would be disastrous and indefensible, even if the court, as at present constituted, were of a contrary opinion.

"It follows from what has been said that the Corporation Court and the Court of Law and Chancery of Norfolk acquired jurisdiction, both of the parties and the subject matter of the illigation, and where that is the case, although the decree may be groneous, they are nevertheless conclusive until reversed or set aside. It also follows that the titles of appellees, who are bona fide purchasers for value and without notice to the lots first sold, are valid and must be upheld."

Summary.

By Judge John A. Buchanan; Burwell vs. Burwell et als. Circuit Court of Franklin county, Reversed in part and affirmed in part.

By Judge George N. Harrison; Rocky Mount Loan and Trust Company vs. Price, &c. Circuit Court of Franklin county, Affirmed in part and reversed in part.

By Judge Stafford G. Whittle: Rhea vs. Shields, trustee. Court of Law and Chancery of elty of Norfolk. Affirmed.
Petitions for Appeals, Etc.

Puckett vs. Mullin's administrator, Circuit Court of Tazewell county. Writ of error and supersedeas, Bond, \$200.
City of Rienmond vs. Caruthers. Hustings Court of city of Richmond. Writ of error and supersedeas, Bond, \$50.
Jernigan vs. Commonwealth. Circuit Court of Princess Anne county. Writ of error and supersedeas. Bond, \$50.
Pleasanton vs. Virginia Fire and Marino insurance Company et al. Circuit Court of Goochland county, Appeal regused.

Court of Goochiand county, the last, Circuit fused,
Weaver et als. vs. Smith et als. Circuit Court of Madison county, Appeal refused.
Douring vs. Corder, Circuit Court of Fauquier county. Appeal refused.
Virginia Coul and Iron Company vs. Richmond School District. Circuit Court of Wise county. Writ of cropy refused. Richmond School District. Circuit Court of Wise county. Writ of error refused. Barbour and Company vs. Raleigh Coal and Coke Company. Circuit Caurt of city of Lynchburg. Amended potition refused. Virginia and Southwestern Rallway Company vs. Balley. Corporation Court of city of Bristol. Rehearing refused. Alexander, &c., vs. Embrey, judge. Corporation Court of Prodericksburg. Writ of mandamus denied.

Hill vs. Flaney. Upon a petition for a writ of prohibition, Writ denied.

Cases Heard.